



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
9-17-07

PART A

Subject:

Request by Joe Grady, Jr. PLS, for subdivision preliminary plat approval of **“Briar Chapel, Phase 2, Briar Chapel Parkway & Taylor Road Right-of-Way Dedication”**, consisting of 15 acres, located off SR-1634, Hubert Herndon Road and SR-1529, Taylor Road, Baldwin Township.

Action Requested:

See Recommendations.

Attachments:

The following may be viewed on the Planning Department website at www.chathamnc.org under Planning, Rezoning & Subdivision Cases, 2007.

1. Major subdivision application.
2. E-mail dated August 29, 2007 regarding Briar Chapel 404 permit modifications request.
3. E-mail dated August 30, 2007 regarding Briar Chapel 404 modification request.
4. E-mail from Monte Matthews, U. S. Army Corps of Engineers, dated Sept 4, 2007 regarding 404 modifications.
5. Preliminary plat titled “Briar Chapel, Phase 2”, prepared by The John R. McAdams Company, Inc., dated August 10, 2007.

Submitted By:

Keith Megginson, Planning Director

Date

County Manager Review:

Charlie Horne, County Manager

Date

This abstract requires review by:

County Attorney

Date Reviewed

Finance Officer

Date Reviewed

Budget Officer

Date Reviewed

PART B

Re: Briar Chapel, Phase 2, Briar Chapel Parkway & Taylor Road Right-of-Way Dedication Introduction / Background / Previous Board Actions:

This request is a portion of the Briar Chapel Planned Residential Development, consisting of 2,389 dwelling units on 1,589 acres, located off Hwy 15-501 N and Mann's Chapel Road, SR-1532, approved by the Chatham County Board of Commissioners on February 15, 2005. A copy of "An Ordinance Amending the Zoning Ordinance of Chatham County" and "A Resolution Approving An Application For A Conditional Use Permit For A Request By Mitch Barron On Behalf Of Newland Communities for Briar Chapel Planned Residential Development" may be viewed on the Chatham County web site at www.co.chathamnc.us, then click on Planning, Rezoning & Subdivision Cases, Miscellaneous Prior to 2005, Briar Chapel. A copy of the Compact Community Ordinance can also be found on the Planning Department web page.

Issues for Further Discussion and Analysis:

The developer is requesting approval and dedication of Briar Chapel Parkway and right-of-way dedication to existing Taylor Road. This request does not involve the review of any residential or commercial lots. Agency permits as required by the Subdivision Regulations for a preliminary plat review and approval have been received as follows:

NCDOT	Road Plan Approval Briar Chapel, Phase 2	March 10, 2006
NCDOT	Road Plan Approval Briar Chapel, Phase 2	January 11, 2007
NCDOT	Encroachment Agreement 12 " DIP Water Line Tap U S 15-501	October 25, 2005
NCDOT	Pre-stressed Concrete Box Beam Bridge (over Polkeberry Creek)	August 1, 2007
NCDOT	Encroachment Agreement Pre-stressed Concrete Box Beam Bridge (over Polkberry Creek)	July 26, 2007
NCDOT	Commercial Driveway Permit Taylor Road Extension-SR- 1529	Feb. 15, 2007
NCDOT	Commercial Driveway Permit Realignment of Hurbert Herndon Road – SR-1634	October 27, 2005
NCDWQ	Authorization to Construct Briar Chapel, Phase 2 Water system	Feb. 20, 2006
CHATHAM COUNTY	Erosion Control Permit	Feb 9, 2006

Re: Briar Chapel, Phase 2, Briar Chapel Parkway & Taylor Road Right-of-Way Dedication Issues for Further Discussion and Analysis

NCDENR	Erosion Control Permit Briar Chapel, Phase 2	Oct. 25, 2005
U. S. ARMY CORPS OF ENGINEERS	404 Creek Crossing Permit	Sept 25, 2006
NCDWQ	401 Creek Crossing Permit	May 9, 2006

Copies of the above permits can be viewed on the Planning Department web site. There are proposed revisions to the 404 Creek Crossing Permit and the 401 Creek Crossing Permit. The time period for input on these revisions is September 10. See the attached e-mails from Monte Matthews with the Corps of Engineers and Mitch Barron with Newland Communities. This item was discussed during the Commissioners' work session Tuesday September 4 before the Planning Board meeting. During the Planning Board meeting there was discussion between the Board and the applicant regarding the 404 modifications.

The preliminary plat shows road names of 'Briar Chapel Parkway West' and 'Taylor Road'. These are not the approved road names. The Chatham County Emergency Operations Office has approved the road names 'Briar Chapel Parkway' and 'Catullo Run'. The correct road names show on the final plat.

Recommendation: It appears that the necessary permits have been received for approval. The Planning Department and Planning Board (with a vote of 9 for and 1 abstention) recommend that the request be approved as requested with the condition that any construction related to the requested revisions to the stream crossing permits not impact the affected area until required permits have been approved.